

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

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**No. 05-11480**  
**Non-Argument Calendar**

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FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT NOVEMBER 16, 2005 THOMAS K. KAHN CLERK
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D.C. Docket No. 97-00709-CR-ASG

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

NEWTON COLOMBO PACHAY,

Defendant-Appellant.

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**Appeal from the United States District Court  
for the Southern District of Florida**

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**(November 16, 2005)**

**Before DUBINA, CARNES and HULL, Circuit Judges**

**PER CURIAM:**

Ana M. Jhones, appointed counsel for Newton Colombo Pachay in this direct criminal appeal, has moved to withdraw from further representation of the appellant and filed a brief pursuant to Anders v. California, 386 U.S. 738, 87 S.Ct.

1396, 18 L.Ed.2d 493 (1967). Additionally, Pachay seeks appointment of substitute counsel. Our independent review of the entire record reveals that counsel's assessment of the relative merit of the appeal is correct. Because independent examination of the entire record reveals no arguable issues of merit, counsel's motion to withdraw is **GRANTED**, and Pachay's conviction and sentence are **AFFIRMED**.

Pachay's motion for appointment of substitute counsel is **DENIED**.